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INDEXING INSTRUCTIONS:

Lot 98, Sec B-2, North Creek Subdivision, Sec 20, T1S, R8W, DeSoto County, MS.

APPOINTMENT OF TRUSTEE

STATE OF MISSISSIPPI  
COUNTY OF DeSoto

WHEREAS, on the 17th day of January, 2003, Robert W. Kirk and Tammatha M. Kirk, Husband and Wife executed a Deed of Trust for the use and benefit of Southpoint Financial Services, Inc. said Deed of Trust recorded in the land records in the office of the Chancery Clerk of DeSoto County, Mississippi in Book 1646 Page 701, and

WHEREAS, on the 25<sup>th</sup> day of August, 2008, by Corrective assignment, Southpoint Financial Services, Inc. assigned said Deed of Trust unto Taylor, Bean & Whitaker Mortgage Corporation, by instrument recorded in the land records in the office of the Chancery Clerk of DeSoto County, Mississippi in Book 2942 and Page 342 and Re-Recorded in Book 2941 and Page 715

WHEREAS, at the time of execution of the above Deed of Trust the parties thereunto did not designate a Trustee in said Deed of Trust; and

WHEREAS, the undersigned is the present holder and beneficiary of the Deed of Trust referred to above; and

WHEREAS, under the terms of said Deed of Trust and M.S.A. 89-1-63(3), the beneficiary or any assignee is authorized to appoint a Trustee; and

NOW, THEREFORE, the undersigned holder of said Deed of Trust does hereby appoint Emily Kaye Courteau, as Trustee, the said Emily Kaye Courteau to have all rights, powers and privileges granted the Trustee in said Deed of Trust.

Should the undersigned become the last and highest bidder at the foreclosure sale, the Trustee is hereby authorized to transfer and assign said bid to convey title to said Foreclosed property to the SECRETARY OF VETERANS AFFAIRS, an officer of the United States of America, or the SECRETARY OF HOUSING AND URBAN DEVELOPMENT, or whosoever the undersigned shall authorize. The statement in the Trustee's Deed that the undersigned has requested the transfer of its bid to Grantee (s) in the Trustee's Deed shall be binding on the undersigned and conclusive evidence in favor of the assignee or other parties thereby, and that the Substitute Trustee is duly authorized and empowered to execute the same.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed by its duly authorized officers on this 25<sup>TH</sup> day of August 2008.

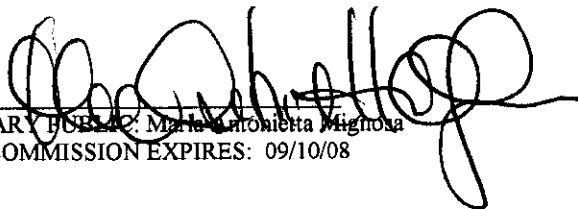
Taylor, Bean, & Whitaker Mortgage Corporation

Name and Title: Erla Carter-Shaw, Executive Vice-President

STATE OF Florida  
COUNTY OF: Marion

PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Erla Carter-Shaw known personally to me to be the Executive Vice-President of the within named Taylor, Bean, & Whitaker Mortgage Corporation, and that (s) he executed and delivered the within and foregoing instrument on the day and year therein mentioned for and on behalf of said Corporation, and as its own act and deed for the purposes therein mentioned, having been first duly authorized so to do.

WITNESS my signature and official seal on this, the 25<sup>th</sup> day of August 2008.



NOTARY PUBLIC: Maria Antonietta Mignosa  
MY COMMISSION EXPIRES: 09/10/08

F08-2399  
tbd

